



PRESIDENT SHELLEY SAYS THANK YOU



A MAN OF ACTION Navajo Nation President Ben Shelly issued a statement of thanks to the Navajo people for electing him as their leader for the past four years. The Shelly-Jim administration has accomplished a lot of tremendous projects on behalf of the Navajo people, he said. The administration will vacate office when a presidential successor has been elected and installed into office. (Photo by Rick Abasta)

FOUR YEARS OF HONORABLE LEADERSHIP

No lawsuits, administrative leave or investigations launched against the presidential administration during the four year term of office - President Ben Shelly and VP Rex Lee Jim will stand the test of time.

Before he entered office and became Navajo Nation President, Ben Shelly ignited the general election of 2010 and made the comeback of ages to win the vote of the Navajo people for the highest office of Indian Country. President Shelly took over the reins to the tribal government and took the oath of office to become the first N.M. resident and sitting vice president to get elected as president. Conspicuously absent from the inauguration ceremony was Joe Shirley, former president. It was the first time the exiting president did not attend the inauguration ceremony for the transfer of

★ **163 bills signed into law**

★ **29 bills vetoed**

★ **16 executive orders issued**

power.

Vice President Rex Lee Jim, who previously served as council delegate for Rock Point Chapter, joined President Shelly. Jim, an accomplished writer and graduate of Princeton, was given the responsibility of managing the divisions of health and education. This too, was a progressive action, to have the vice president directly involved in shaping the vision of the administration. Vice President Jim was also a skilled Navajo linguist and a medicine man that advocated for cultural preservation. See **RESTORING** >> Page 2

REPATRIATION

Navajo delegation successfully return sacred masks from Paris auction house



Vice President Rex Lee Jim

PARIS—Navajo Nation Vice President Rex Lee Jim and Navajo Human Rights officials purchased seven confirmed Navajo sacred masks that were up for auction in Paris, France. Hundreds of items representing different Indigenous nations went on auction on Dec. 15, 2014.

The Navajo delegation arrived in Paris on Dec. 12 and accomplished one of its goals by gaining access to the sacred masks at the Drouot auction house on Dec. 13. Vice President Jim offered Navajo prayers to restore harmony from the masks being removed from the Four Sacred Mountains.

It is also important to note that item 77 in the catalog is not of Navajo origin. Eve auction house does not know the origin of this item as indicated in the catalog.

While in Paris, the news media coverage of the Navajo mission spread throughout Europe. Jane Hartley, U.S. ambassador to France, made a public appeal for the sacred masks to be returned to the respective indigenous tribes, including the Navajo Nation. The Navajo delegation raised

awareness of how the sacred masks belong to the Navajo Nation, and the right course of action was to return them.

The vice president called the masks “living and breathing beings,” in Navajo, and as sacred to the people used for healing ceremonies during the winter. It was important that they were taken home.

See **CEREMONIAL** >> Page 2

The ultimate legislative fix

WINDOW ROCK, Ariz.—President Shelly said a “legislative fix” is needed to balance government responsibility.

First and foremost, he has said time and again that a referendum vote must occur that recognizes the Navajo people as the governing body. Each time legislation was introduced the tribal council voted it down.

“The power lies with the Navajo people, not the council,” he said.

President Shelly also said that delegates should not serve on boards or commissions because the potential for politics preventing progress is great.

In addition, he said that the Office of the Auditor General, Navajo Election Administration, Office of Hearings and Appeals, Ethics and Rules, and Government Development need to be repositioned to the Executive Branch.

“These need to be separate and independent entities not subject to the will of the council. That is the only way the Navajo Nation will truly move forward,” President Shelly said. “I am hoping that the next generation of leadership will see the logic in this legislative fix.

“However, it is also important that we work together with our legislators to get the job done for the people,” he added.

The president maintained that it is the Navajo people that are the governing body.

2015 WINTER SESSION STATE OF THE NAVAJO NATION



STATE OF THE NATION Navajo Nation President Ben Shelly and Vice President Rex Lee Jim reported before 23rd Navajo Nation Council during the winter session for the State of the Navajo Nation. President Shelly provided the address in Navajo and provided an update of accomplishments from the past quarter and a vision for the future. (Photo by Rick Abasta)

WINDOW ROCK, Ariz.—President Ben Shelly delivered the State of the Navajo Nation on Jan. 25, outlining significant accomplishments from the past quarter and providing a vision for the future.

Flanked by Vice President Rex Lee Jim and Chief of Staff Arbin Mitchell, the president delivered his address in Navajo and highlighted the partnership between the Executive and Legislative Branches that made the accomplishments possible.

He began with lauding the efforts between both branches to fund the remediation of Administration Building No. 1, which reopened in early Jan. Funding came from the Unreserved, Undesignated Fund Balance, indirect costs and carryover funding, which totaled more than \$5.5 million for construction.

“Several tribal divisions and departments stepped up to the plate and housed our displaced employees until the building could be renovated,” President Shelly said.

He noted that the health and welfare of tribal employees was the primary concern and that renovations have already begun on Administrative Building No. 2, which was also shutdown due

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President Shelly and Vice President Jim take oath of office to extend term



HISTORIC OATH Navajo Nation President Ben Shelly and Vice President Rex Lee Jim both took the oath of office on Jan. 13 for continuity of government. They will meet with the 23rd Navajo Nation Council during the winter session to discuss plans moving forward to June and August presidential elections. (Photo by Rick Abasta)

WINDOW ROCK, Ariz.—Navajo Nation President Ben Shelly and Vice President Rex Lee Jim took the oath of office at noon today and extended their presidency.

The decision to extend the term of office for President Shelly came on the heels of a late night negotiation meeting and subsequent letter of agreement between Executive and Legislative Branches of government.

The terms of the agreement state, “In the spirit of K'é and Hózhó the Executive and Legislative leaders have come together to talk things out in resolving a controversy that would impact the stability of the Navajo Nation.”

The agreement further states that President Shelly will maintain all power and duties under the provisions of the Navajo Nation Code. The president will meet with



members of the 23rd Navajo Nation Council during the winter session to discuss the best interests of the Nation moving forward.

Until then, President Shelly and Vice President Jim will maintain continuity of government until a new president is elected.

Chief Justice Herb Yazzie administered the oath of office at the Office of the President



and Vice President. The State Room was packed with cabinet members, OPVP staff and members of the media to witness the event.

Standing in front of the mahogany Great Seal of the Navajo Nation, President Shelly placed his left hand on the Bible and raised his right hand to take his oath of office.

President Shelly repeated

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Ahe'hee!

LEGISLATION

FTA grant approved

WINDOW ROCK, Ariz.— On Dec. 30, 2014, Navajo Nation President Ben Shelly enacted two bills to provide funding to the Navajo Transit System and approval of purchasing individual allotment land.

Legislation No. CD-65-14 was for approval of the \$166,000 grant to the Navajo Transit System from the Federal Transit Administration for public transportation operation. Also included was approval of the indirect cost rate of 10 percent.

“The Navajo Transit System continues to provide important services to the Navajo people, that of mobility,” President Shelly said. “I applaud their tenacity in seeking funds outside the Nation to continue their mission of public transportation.

“I hereby sign into law the foregoing legislation, pursuant to 2 NNC Subsection 1005 (C) (10), on this 30th day of December 2014,” he added.

The FTA awarded the Navajo Transit System the grant award of \$166,000 on Jan. 8, 2013. The maximum rate of 10 percent was levied on the FTA, which waived the Navajo Nation indirect cost rate of 16.95 percent.

The FTA is an agency of the U.S. Department of Transportation that is tasked with providing financial and technical assistance to local public transit systems. With headquarters in Washington, D.C. and 10 regional offices, the FTA oversees public transportation including buses, subways, light rail, commuter rail, monorail, passenger ferry boats, trolleys, inclined railways and other modes of transportation.

The resolution was approved by a vote of 18-0 by the Navajo

Nation Council on Dec. 23. Speaker Pro Tem LoRenzo Bates signed the resolution on Dec. 29 before sending it to the Office of the President and Vice President.

Legislation No. CD-67-14 was for approval of purchasing of individual allotment land for 160 acres located within the Ramah Chapter by Roy Chap Martinez. The cost of the purchase, including closing costs, amounted to \$128,000.

Martinez made contact with the BIA Southwest Regional Estate Office and expressed his decision to sell his allotment to the Navajo Nation. On Sept. 24, 2013, Martinez agreed to the purchase price of \$800 per acre for a total sale price of \$128,000.

The Navajo Land Acquisition Trust Fund will cover the purchase price of the land, which will be utilized for the development of residential subdivisions, mutual help housing, home site leasing and community development purposes for the Ramah Chapter.

“I hereby execute the real estate purchase agreement on behalf of the Navajo Nation for purchase of lands held by the Roy Chap Martinez allotment,” President Shelly said. “The Navajo Nation will utilize this land to build homes for those living in the Ramah Chapter boundaries.”

The Navajo Nation Council approved the legislation by a vote of 18-0 on Dec. 23 and was signed by Speaker Pro Tem Bates on Dec. 29 before it reached President Shelly’s desk for approval.

President Shelly approves special runoff election, NBOES pardon

WINDOW ROCK, Ariz.— On the afternoon of Jan. 10, Navajo Nation President Ben Shelly signed the special runoff election legislation passed on the last day of the year by the Navajo Nation Council into law, as well as a bill that grants a pardon to the members of the Navajo Board of Election Supervisors who were stripped of their offices by order of the Navajo Nation Supreme Court.

“It is in the best interest of the Navajo people that we give the thousands of voters a new opportunity to choose their next leaders,” President Shelly said. “There have been too many discrepancies over the last several months. A new election will restore some hope among the voters and the people that their voice will be heard.”

Believing that individual rights are undeniable, President

Shelly signed the legislation calls for the oath of office to be administered to the President-Elect and Vice President-Elect on Sept. 9, 2015.

In other election related news, the Supreme Court vacated a motion filed by the Navajo Department of Justice seeking clarification from the court on the election before Jan. 31, 2015, and additionally, an opinion on whether President Shelly remains as president beyond Jan. 13, 2015.

During the late hours of Jan. 9, President Shelly met with the Speaker Pro Tem LoRenzo Bates and members of the Navajo Nation Council, along with attorneys from the DOJ and the chief legislative counsel to fashion an agreement for the president to remain as president beyond Jan. 13. The agreement will require President Shelly to

take an oath of office on Tuesday. It was agreed by the parties that stability is important to the functioning government and to ensure a greater sense of continuity. The agreement does lend opportunity for the incoming lawmakers to introduce legislation that would otherwise address the matter of the presidency until an election is held.

The legislation sets forth a special election for June 2015, in which the 17 candidates who were contenders for the 2014 primary election are eligible to reapply as candidates for president. The two candidates with the highest votes will proceed to a special general

Extended term of office for President Shelly

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the oath after Chief Justice Yazzie:

“I, Ben Shelly, do solemnly swear to continue to uphold and abide by the laws of the Navajo Nation and Treaty of 1868 between the Navajo Nation and the United States of America, and will faithfully execute the Office of the Navajo Nation President, representing the Navajo Nation, and will to the best of my ability continue to preserve, protect and defend the laws and government of the Navajo Nation, and advance the interests of the Navajo people, having due regard for the ethical duties and responsibilities of the office. So help me God.”

First Lady Martha Shelly held the Bible and witnessed her husband’s historic swearing in ceremony for the second time. Navajo Nation Vice President Rex Lee Jim was next and took his oath of

office for the second term by swearing on his jish (medicine bundle), which was held by his mother.

“I, Rex Lee Jim, do solemnly swear to uphold and abide by the laws of the Navajo Nation and Treaty of 1868 between the Navajo Nation and the United States of America; and will faithfully execute the Office of the Navajo Nation Vice President, representing the Navajo Nation; and will to the best of my ability continue to preserve, protect and defend the laws and government of the Navajo Nation; and advance the interests of the Navajo people, having due regard for the ethical duties and responsibilities of the office. So help me God.”

Vice President Jim signed the affidavit of certification, followed by President Shelly.

“We’ll keep it together until somebody shows up,” President Shelly said after he

signed his name.

Cabinet members and others filed through to congratulate the president and vice president. The event was low key and lasted about 15 minutes. A press conference followed, where President Shelly spoke about conducting “business as usual.”

“The standard functions of a president’s protocol, we will continue to do that,” he said. “I will continue to function as a president, that’s what we agreed to.”

Approval or veto of tribal council legislation will continue, he added, noting that his standing as president will move forward with all authorities in place.

President Shelly’s staff and cabinet will continue on, if they chose to, he said. For those choosing to leave, they will be replaced with young Navajo professionals. For his future, the president will

return to private business as an entrepreneur.

Other options included running for state and national leadership.

“There’s a lot of work to be done, the Navajo people need help,” he said.

At the conclusion of the ceremony, OPVP staff and cabinet members convened with the president and vice president at the Navajo Nation Museum to discuss plans moving forward.

For the short time in office, staff must give 110 percent or more was the message, in order to complete projects that are still in progress. President Shelly told everybody that maintaining continuity of government was the order of the day.

All of his staff and cabinet members will continue working with the administration until a successor is elected into office.

Restoring integrity to the Office of the President and Vice President

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“There is so much that this administration has done within the span of one term,” President Shelly said. “Despite the many challenges, we have accomplished more in four years than some administrations did for two terms. This administration was all about action.”

Health, education, economic prosperity, infrastructure, and transparency in governance, were the five pillars of the

administration. This platform became the focus of the administration when taking office in Jan. 2011. Another challenge the administration faced was the division between the branches of government – fallout from the council reduction – that took several months to fix because the laws had to reflect 24 delegates and not 88.

Throughout their administration, one thing became abundantly clear:

President Shelly and Vice President Jim were in office to work with the tribal council and move the Nation forward. This did not mean rubberstamp approval for everything, but rather, a mutual respect for tribal legislators whose goals were the same: serving the best interests of the Navajo people.

By working together, both branches of government were able to develop a Navajo Nation Energy Policy, respond to an emergency that

prevented residents of the Western Agency from being able to travel to their job sites, medical services and other essential needs, purchase a coal mine to bolster the Nation’s financial portfolio, and address longstanding concerns for the disabled citizens of Navajo.

“Nobody can do things all on their own, it takes all branches of government to get things done,” President Shelly said. “Thank you for working with us. Ahe’hee.”

Ceremonial masks returned to Navajo Nation from Paris auction house



TRADITIONAL KNOWLEDGE Navajo Nation Vice President Rex Lee Jim traveled to Paris on a repatriation mission. He was joined by staff from the Navajo Human Rights Commission. (Photos and story by Jared King)

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“This is important because we have a cultural and spiritual connection with them. These are not art objects. They were not constructed for decorating homes or to hang art galleries. This is a major difference between the western concept of art and the Navajo concept

of cultural patrimony,” Vice President Jim said.

“We understand that many of the dealers do not understand this, that this concept is foreign to their culture,” he added.

“As an elected official of the Navajo people, one of my duties is to protect these sacred masks and that is why I am

here with the steadfast support of the Navajo government, our lawmakers and our people,” the vice president said.

The Navajo delegation called on Navajo medicine

people and all Navajos to pray for a successful mission in returning these sacred masks back to the Navajo Nation.

The delegation returned to the Navajo Nation on Dec. 16.

NAVAJO NATION OFFICE OF THE PRESIDENT AND VICE PRESIDENT

BEN SHELLEY
President

REX LEE JIM
Vice President

MARTHA SHELLEY
First Lady

ARBIN MITCHELL
Chief of Staff

CAROLYN DROUIN
Legal Counsel

DESWOOD TOME
Special Advisor

RICK ABASTA
Communications Director

MARJORIE JOHNSON
Budget Director

GERRI HARRISON
Executive Staff Assistant

CARL SMITH
Executive Staff Assistant

MICHELE MORRIS
Executive Staff Assistant

BESSIE YELLOWHAIR
Constituent Services

ISABELLE WALKER
Constituent Services

PHIL KINLICHEE
Constituent Services

CYNDY TAYLOR
Constituent Services

MORONI BENALLY
Constituent Services

ALBERTA LAUGHING
Scheduler

MAY KELEWOOD
Staff Assistant

ZANE JAMES
Executive Assistant

DWIGHT LARGIE
Executive Assistant

PATRICIA BEGAYE
Scheduler

DESIREE ETSITTY
Executive Assistant

BRITTANY SMITH
Administrative Assistant

BRIAN BEGAYE
Administrative Assistant

MARY ROAN
Office Liaison

CHAD SINGER
Office Assistant

AUSTIN YAZZIE
Office Assistant

CABINET

PAULSON CHACO
Division of Transportation

VIRGIL BROWN JR.
Division of General Services

JOHN BILLISON
Division of Public Safety

ALBERT DAMON JR.
Division of Economic Development

STEPHEN ETSITTY
Environmental Protection Agency

CLARA PRATTE
Washington Office

THOMAS RANGER
Division of Human Resources

SHARON BEGAY-MCCABE
Division of Social Services

LEONARD CHEE
Division of Community Development

HARRISON TSOSIE
Attorney General

BRIAN TAGABAN
Telecomm. Regulatory Commission

RAMONA ANTOINE NEZ
Division of Health

SHARILENE JEFF
Division of Natural Resources

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NAVAJO NATION AND CITY OF GALLUP ARE FIGHTING BACK AGAINST ALCOHOLISM



FIGHTING BACK Left, Navajo Nation President Ben Shelly said he joined Eddie Munoz in the 1980s to march on Santa Fe in opposition to the liquor establishment in Gallup. Center, delegate Edmund Yazzie said alcoholism is an all-race problem. Right, a Santa Fe staffer shared stats on the alcohol problem in Gallup. (Photo by Rick Abasta)



PUBLIC AWARENESS When the public spoke on the issues of alcohol, the sentiments were mixed. Some wanted the liquor establishments closed. Others (non-Indians) said the Nation should provide funds from the \$554 million settlement to pay for treatment and detox services. (Photo by Rick Abasta)

GALLUP, N.M.—Alcohol is big business.

Efforts to come to grips with alcohol related fatalities and crimes in the city of Gallup isn’t anything new. In the 1980s, the city was dubbed “Drunk Town, USA” and sensationalized news reports spread the name nationally.

City leaders from that era joined forces with tribal and county leadership to march on Santa Fe to bring attention to the issue. During that time, McKinley County Commissioner Ben Shelly joined the contingent of citizens fed up with the alcohol related fatalities and crimes.

The group’s efforts eventually resulted in closure of drive-up package liquor sales in Gallup and millions of dollars in federal funding for the construction and operation Na’nizhoozhi Center, Inc. In June 2013, the funding dried up for NCI and the non-profit organization was forced to close their doors after more than 20 years of service.

On Oct. 24, 2013, the Navajo Nation entered into a memorandum of agreement with the city of Gallup and McKinley County to reopen the center. Since taking over management of the Gallup Detoxification Center on Jan. 1, 2014, the Navajo Department of Behavioral Health Services has spent more than \$582,000 providing services.

The city of Gallup has contributed \$320,000 to DBHS for an operating budget of close to \$1 million. The city funds were collected from the Alcohol Excise Tax at a rate of 10 percent. Despite this joint effort to fight alcoholism, the MOA has fallen short of meeting the full extent of needs related to providing treatment to those in need.

Partnership is the key

On the evening of Dec. 8, President Shelly joined state, county and city officials to focus on the swelling number of people going through the detox center, numbers that have averaged about 2,400 people per month. Sen. George Munoz hosted the meeting at the Lighthouse Church in

Gallup, which was packed with hundreds of people.

Munoz encouraged the audience not to dwell on what went wrong with NCI, but to instead focus on solutions and moving forward with the Gallup Detox Center. Given the number of people in attendance, he was determined to maintain a respectful atmosphere.

“I do have some ground rules for the meeting,” Munoz said. “There will be no racial remarks. No outbursts, no speaking out of turn.

“This is not a blame game. This is solution road,” he added.

President Shelly was the first to speak and reflected on the march to Santa Fe with former Gallup Mayor Eddie Munoz.

“We fought the liquor establishments. It’s very hard to fight them, their lobbyists are very powerful,” President Shelly said.

President Shelly said that during his tenure as county commissioner, he never approved the renewal of any alcohol licenses. The effort was often for naught, however, because the N.M. Gaming and Alcohol Division would eventually overrule their decision, he said.

“We need to put our heads together and take care of this alcohol thing. We need to start talking to business people,” President Shelly said, in reference to liquor store and bar owners.

Gallup Fighting Back

David Conejo provided a history of Fighting Back initiative back from 1989, when Gallup was in the headlines for 31 deaths related to alcohol. The fatalities were from exposure, driving while intoxicated and people getting run over by trains. He said the turning point was a head-on collision involving a white

DWI motorist that killed three natives in the other vehicle.

“In particular, this accident was important because it was an Anglo that ran into a Native American family. Now we (were able to) bring the attention to the universal aspect of this problem,” Conejo said.

He said the march to Santa Fe resulted in \$400,000 in seed money to study the feasibility of a detoxification center in Gallup. Once the center was built, it was under the management of the hospital for a period of two years, and provided medical and social detoxification. A \$3 million grant from the Robert Wood Johnson Foundation got the facility off the ground.

People who went through the center were held for three days and some were referred to a 28-day rehabilitation program, and others to an intake-shelter-bed program for adolescents. However, Conejo said the most important aspect was the work rehabilitation program that provided employment through construction and laundry services or a kiln that produced cups, plates and other wares.

“At the end of 90 days, people would be able to go out and seek employment and use us for a reference. We could say they’ve been through treatment, they’ve been through rehab and they’ve been gainfully employed,” Conejo said.

Gallup Detox Center

Since taking over the Gallup Detox Center in Jan., the DBHS has averaged about 2,400 clients per month. The lowest admissions at the center occurred in June with 2,014 people and the highest was in August with 2,699.

Ramona Antone Nez, division director for the Navajo Department of Health, said DBHS is addressing the “revolving door” effect of the center. She said medical detox services will be contracted out and that the 12-hour hold will be increased to 72 hours for protective custody. Her timeline for implementation was one week.

“The Navajo Nation respectfully requests that the Gallup Police Department resume patrolling the ditches, arroyos and alleys for individuals who are intoxicated and the greatest at risk to exposure,” Nez said.

She also mentioned the need to repair the HVAC system of the detox center. The meeting ended with a Q&A session.

Fluency amendment fails

WINDOW ROCK, Ariz.—On New Year’s Eve, Navajo Nation President Ben Shelly vetoed CD-79-14, a Navajo Nation Council resolution to amend the Navajo language fluency requirements for Office of the President and Vice President.

The council attempted to pass a similar legislation in Oct. 2013, which was also vetoed by President Shelly, who favored a referendum vote for amending the language requirement. He said a thoughtful and deliberative conversation needed to occur with the Navajo people before changing the qualifications for tribal leadership.

“This conversation has yet to occur and, as such, my feelings on the matter have not changed,” President Shelly said. “The people are divided and we need their participation in this decision that will affect the generations to come.”

He said piecemeal changes to the Navajo Election Code in the form of council resolutions and Supreme Court opinions will not suffice. A major overhaul is needed to ensure

clear, concise and fair laws, he noted, adding that such important change can only be done through a referendum vote of the Navajo people.

“It’s the people’s right to determine this, not myself, the council or the courts,” President Shelly said.

The same day, President Shelly also signed into law three bills.

Legislation no. CD-64-14 was for amendments to Title 11 of the Navajo Nation Code by authorizing the Navajo Board of Elections Supervisors to eliminate filing fees for elective positions filled by appointment.

Currently, filing fees by candidates are submitted when they file their candidacy application. The filing fees are non-refundable.

“For an appointment to fill an unexpired term, the applicable filing fee shall not be required,” was the amendment to the code.

President Shelly also signed CD-76-14 into law and enacted the amendments to the Navajo Nation Farm Board plan of operation.

The amendments included

change of legislative oversight to Resources and Development Committee, purpose of farm boards, duties and responsibilities of officers, meetings, powers, accountability and compensation.

Legislation No. CD-68-14 was also signed into law by President Shelly and established the Sihasin Fund for the \$554 million settlement.

Establishment, purpose, investment, definitions, expenditure, annual audit report and expenses of the Sihasin Fund were outlined in the legislation.

“The Navajo people can rest easy knowing that the \$554 million from the trust settlement is properly accounted for and audited through the Sihasin Fund,” President Shelly said. “This is the Navajo people’s money and they deserve to know what it’s spent on.

Such transparency in government has been a hallmark of this administration and we will continue to keep the Navajo people informed,” he added.

President Shelly meets with U.S. EPA, discussions focus on carbon dioxide ruling



CARBON RULING President Shelly met with federal officials from the U.S. EPA to discuss the proposed carbon dixide air quality ruling in Oct. 2014. (Photo by Rick Abasta)

SANTA FE—The U.S. EPA is expected to release their proposed carbon dioxide air quality supplemental ruling for Indian Country in mid-October.

Navajo Nation President Ben Shelly met with Janet McCabe, acting assistant administrator for the Office of Air and Radiation, along with Jane Nishida, acting assistant administrator for the Office of International and Tribal Affairs and Jared Blumenfeld, regional administrator for U.S. EPA Region 9 on Sept. 15 in Santa Fe.

Joining the president were Navajo Nation representatives from Department of Justice, Navajo EPA, Division of Natural Resources and NTUA. The Navajo Nation delegation shared statistics demonstrating the economic disparities that exist on tribal lands.

Statistics from the Navajo Nation included the unemployment rate of 52 percent versus 6.3 percent for the U.S. More than 60 percent of Navajos do not have telephone service; 32 percent don’t have electricity; and 38 percent do not have running water.

The relevance of the statistics was to demonstrate the disadvantages facing Navajo tribal members with regard to basic necessities and economic development. Those figures were contrasted against the Nation’s abundance of coal, more than 100 years worth, which is an economic

boon and necessity for the tribe.

Recent air quality decisions by the U.S. EPA to limit the use of coal-fired power plants as an energy source have a negative impact on the tribal economy.

President Shelly said consultation with the U.S. EPA was absolutely critical for the proposed carbon dioxide ruling because the power plants located on the Navajo Nation provide tribal self-sufficiency.

“We just wrapped up the final BART decision for Navajo Generating Station and completed a very complex rulemaking,” President Shelly said. “Now we have the proposed carbon dioxide rulemaking before us.”

He explained that the economy of the Navajo Nation is dependent upon the coal power plants, not only for employment but also for revenue streams from taxes, lease payments and other royalties that support the direct services to the Navajo people.

Despite the push for restrictions on coal-fired plants across the country, the tribal air quality has always passed standards set by the federal government.

President Shelly said, “Ever since such data started being recorded, the Navajo Nation air quality has always been

“The Navajo Nation air quality has always been good.”

be treated as a sovereign.”

Sixty years ago, the initial agreements for the power

plants was negotiated by the federal government and power plant owners for long term sweetheart deals. Today, the Navajo Nation stands poised to realize the benefits of renewed leases that it has negotiated directly with the power plant owners, which are lessees to the Nation.

McCabe echoed similar sentiments and said, “You are the most active tribal leader to advocate and conduct government-to-government discussions for every ruling.

“On behalf of the Obama administration, we are committed to working with the Navajo Nation as a sovereign entity and consider

your comments before issuing a supplemental ruling,” she added.

In Nov. 1984, the U.S. EPA enacted a policy for the administration of environmental programs on Indian reservations. The policy was in accordance with the Federal Indian Policy that was enacted on Jan. 24, 1983.

The main themes of the policy stated “that the Federal Government will pursue the principle of Indian ‘self-government’ and that it will work directly with Tribal Governments on a ‘government-to-government’ basis.”

Because of this, President Shelly said the U.S. EPA must carefully consider the tribal concerns and recommendations and make regulatory decisions that uphold trust responsibilities and obligations as a trustee.

His said the U.S. EPA needs to find a balance between economic development, progress and environmental protection that will allow the Navajo Nation to thrive in the years to come.

“We want to request for a public comment period extension from 30 to 45 days,” President Shelly said. “Don’t treat us similar to states, we are different and deserve to

be treated as a sovereign.”

Sixty years ago, the initial agreements for the power

plants was negotiated by the federal government and power plant owners for long term sweetheart deals. Today, the Navajo Nation stands poised to realize the benefits of renewed leases that it has negotiated directly with the power plant owners, which are lessees to the Nation.



Resources and Development Committee approves FY 2015 Tribal Transportation Improvement Plan

WINDOW ROCK—The Resources and Development Committee of the 22nd Navajo Nation Council approved the Navajo Nation FY 2015 Tribal Transportation Improvement Program on Sept. 2, 2014.

Navajo Division of Transportation submitted a 60-page document to RDC for review and detailed the five-year project listing, which includes preliminary studies, construction administration and roadway improvements.

Roads are a major concern for many Navajo chapters.

NDOT is charged to perform critical functions related to transportation road improvements in collaboration with the Bureau of Indian Affairs, local, state and federal agencies for development of a tribal transportation priority listing.

The projects are mandated by 25 CFR Part 170, Subpart D

under the Tribal Transportation Program.

Paulson Chaco, director of NDOT, said the FY 2015 TTIP now moves forward to the Federal Highway Administration for final approval. If approved, the project listing for the Nation will be included in the national transportation improvement program.

He said progress has been swift during this administration, but additional road improvement needs arise during monsoon flooding and the winter season.

“Projects in the five-year TTIP include cultural and environmental impact studies, right-of-ways, centerline surveys and designs,” Chaco said.

Other program funds include safety projects, planning, operation and maintenance. Additionally, two percent of

planning funds are used to provide technical assistance to chapters for transportation planning, mapping, roadway data collection and long range transportation plans.

A total of \$277,500,000 has been programmed into the TTIP through FY 2019. The Navajo Nation receives \$55,500,000 annually in funding from the FHWA for transportation projects. NDOT receives \$10 million of that amount, after it entered into a direct funding agreement with the FHWA in 2013.

“The direct funding agreement changed the dynamics of transportation on the Navajo Nation,” Chaco said. “The BIA is now partners with Navajo DOT. They are no longer our oversight. This has strengthened our tribal sovereignty.”

Execution of the direct funding agreement was only

one of the directives made to Chaco by Navajo Nation President Ben Shelly when the administration took office in 2011. Early on in the administration, Navajo Nation Council Delegate Edmund Yazzie (Church Rock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau) approached NDOT with the need to repair N7054, a dirt road located in Pinedale, N.M.

The N7054 project is on the five-year TTIP for grade, drain and gravel construction for 3.5 miles of road. This safety project is at a cost of \$3,125,000. Preliminary engineering will be from 2015 through 2017, at a cost of \$325,000. The following two years will be construction engineering and construction, at a cost of \$2,800,000.

However, immediate needs exist for local residents in Pinedale that travel on the road

to get to school, work, medical services and other basic needs.

Chaco said the Pinedale project is a two-fold initiative, with efforts to address the immediate need for safety of the traveling public and the other to provide a long-term solution to the roadway.

Yazzie was in attendance for the RDC meeting on Tuesday and stressed the importance of improving the road in Pinedale. In 2012, he requested that the project be placed on the priority listing and staunchly advocated for its improvement since.

Chaco said, “This road project, like many across the Navajo Nation, has been discussed for years, but actual progress rarely occurs due to many factors, including lack of funding.”

He said the immediate need was to improve the road, which was often impassable

because of mud during inclement weather. Because of this overwhelming need to provide residents with a usable road during adverse conditions, Chaco said NDOT has earmarked Fuel Excise Tax fund to purchase gravel for the road in the interim until the long-term project is completed.

A total of 1.4 miles of road will be graveled on N7054. This will require a purchase of 2,651 tons of gravel to complete the road.

We will utilize NDOT equipment and operators to place the gravel, Chaco said. He said the Pinedale project was just one of hundreds across the Nation that require immediate attention.

For now, NDOT continues to assist the Navajo people through FHWA and FET funding, combined with ingenuity and adaptability.

PRESIDENT SHELLY NEGOTIATES FOR LOST CODE TALKER UNIFORM



PROTECTING VETERANS Navajo Nation President Ben Shelly negotiated for the return of a lost uniform. (Photo by Rick Abasta)

WINDOW ROCK, Ariz.—The uniform of a Navajo hero returned home.

After more than 15 years of limbo, the uniform of George H. Kirk, Sr. was returned home and unveiled on August 14, during a ceremony at the Navajo Nation Museum in honor of Navajo Code Talkers Day.

Kirk was a Navajo Code Talker. Born on May 25, 1917, he passed on Oct. 28, 1999. He served in the 3rd Marine Division and saw combat in Bougainville, Eniwetok Atoll, Guadalcanal, Guam, Iwo Jima, Johnston Islands, Mariana Islands, Marshall Islands, New Guinea, and Solomon Islands.

Kirk’s Navajo Code Talker uniform and associated items were lost since 1999, until they appeared on the open market for auction in late Jan. 2014. The uniform was previously in a storage unit that went up for auction after he passed and no longer made payments.

Navajo Nation President Ben Shelly immediately contacted Craig Gottlieb, a military historian that owned the online auction house that was prepared to sell the uniform. In his letter to Gottlieb, President Shelly stated the importance of its return to the Nation.

“We respectfully asked for the return of the uniform to the Navajo Nation and agreed that it be an exhibit at the Navajo

President Shelly approves Navajo Department of Health Act

WINDOW ROCK, Ariz.—Navajo Nation President Ben Shelly signed the Navajo Department of Health Act into law on Nov. 6, 2014.

He said the legislation is an unprecedented step for a tribal nation in self-determination.

“This legislation affirms the Nation’s sovereignty by recognizing the Nation’s authority to determine what is in the best interest of our people’s health care in the future,” President Shelly said.

The legislation amends an outdated 20-year-old law that only saw changes in piecemeal efforts. By joining other tribes exercising self-determination through the compaction and contracting of specific health programs, the Navajo Nation established its own Epidemiology Center.

When the administration took office in Jan. 2011, Vice President Rex Lee Jim was tasked with responsibility over health and education. Over the course of the administration, he has worked on the tribal, state

and federal level to protect the interests of the Navajo Nation.

“We firmly believe we are a sovereign nation and as a sovereign nation, there are certain essential governmental functions that we cannot, should not, ever give away to other sovereigns, entities and organizations,” Vice President Jim said. “These are basic governmental functions.

“One is our ability to regulate and monitor programs within the Navajo Nation’s jurisdiction,” he added.

The Navajo Department of Health will ensure the public health service needs are met through assessment, policy development and assurance. The department will diagnose and investigate health problems and health hazards in Navajo communities.

President Shelly said, “(The department) will develop policies and plans that support individual and community health efforts. The department will enforce laws and regulations passed

to protect health and ensure safety.”

Vice President Jim said this effort wouldn’t happen overnight. Instead, it will take a number of years and a lot of hard work to make sure they are completed.

“This means we will have to build capacity. We will have to hire new people who are experts in policymaking, who are experienced in rulemaking,” he said.

The importance of consultations and public hearings cannot be stressed enough, he added, because the participation from stakeholders will be instrumental in crafting language that provides fair regulations.

In addition to working with health care providers on the tribal, state and federal levels, the department will also work toward another historic step, the creation of the first tribally administered Medicaid agency.

A recent study by the U.S. Department of Health and Human Services found that

it is feasible for the Navajo Nation to operate its own Medicaid agency to ensure the Navajo people receive uniform coverage, regardless of the state they reside in.

President Shelly said the legislation does not authorize the Department of Health to intercept or impede existing self-governance funding for contracted and compacted facilities on the Nation. The same holds true for the regulation of traditional practitioners and the use of traditional medicine.

Vice President Jim said the Navajo Department of Health will not only regulate health care facilities and 638 programs, but also health codes at restaurants and safety codes from swimming pools at hotels on the Navajo Nation. The legislation is all encompassing.

President Shelly approves \$8.3 million in supplemental appropriations



LOOSENING PURSE STRINGS Navajo Nation President Ben Shelly has exercised his veto authority throughout his administration in an effort to be fiscally responsible and ensure the proper amount of funding was maintained for the Unreserved, Undesignated Fund Balance. He recently loosened this to provide chapters with supplemental appropriations. (Photo by Rick Abasta)

WINDOW ROCK, Ariz.—On Jan. 6, Navajo Nation President Ben Shelly met with the Office of Management and Budget to discuss council resolutions requesting supplemental appropriations amounting to more than \$8.3 million.

“It’s important that we ensure funding for these projects are in line with the Navajo Nation Appropriations Act,” President Shelly said. “We have more than \$30 million in the UUFB right now, but we must be prudent with those funds.”

President Shelly signed CD-71-14, which provides \$500,000 from the Unreserved,

Undesignated Fund Balance for Oljato Chapter. The funds will be for professional technical services and architecture and design for the chapter’s new multipurpose building.

The same bill provides \$5 million to the Nahata Dzil Shopping Center project. The president had reservations about signing the legislation because the two projects are not listed in the five-year Capital Improvement Plan.

The Appropriations Act states, “All budget requests for capital improvements shall be in compliance with an adopted Capital Improvement Plan and shall not be approved unless in

compliance with the plan.”

The legislation was originally only for the Oljato Chapter, but the shopping center was added as an amendment.

“I compromised and signed this legislation because the shopping center project is shovel-ready and listed on the five-year Economic Development Plan,” President Shelly said.

Resolution No. CD-75-14 was also signed for approval of \$500,000 from the UUFB for Tonalea-Red Lake Chapter’s professional technical services and demolition project. President Shelly approved this project, but again, it is not listed on the five-year CIP. The project, however, is also listed on the five-year Economic Development Plan.

“I’ve worked with the council on approving these projects, but they need to ensure their legislation is in compliance with the law for any future legislation,” President Shelly said.

Legislation No. CD-69-14 was also approved by the president and allows Cameron Chapter to receive \$180,120 from the UUFB for their multipurpose facility. The project is on the five-year CIP and is in compliance with the Appropriations Act.

Resolution No. CD-72-14

was approved for \$600,00 from the UUFB for the purchase of a new bus for Navajo Transit System. The president had a small concern with the proposal summary because it does not mention the bus purchase, but OMB will apply an administrative fix.

President Shelly also approved Legislation No. CD-73-14 for \$1,559,250 from the UUFB for elected officials operating expenses, planning and regular chapter meetings. The funds will be distributed to the elected officials as follows:

The district grazing officials will receive \$877,500. The farm boards will receive \$483,750. The Eastern Navajo Land Board will receive \$198,000.

“During this administration, we have held tight to the Nation’s purse strings to ensure the UUFB was maintained above the minimum balance allowed,” President Shelly said. “Today, we have let go of the purse strings to approve these projects for the people.”



OPVP provides interns opportunity for government reform



GOVERNMENT REFORM President Shelly hired 14 student interns to work and research government reform for the tribe. (Photo by Rick Abasta)

WINDOW ROCK, Ariz.— From Dec. 2015 to Jan. 2015, 14 Navajo college students worked as interns at the Office of the President and Vice President.

They worked with OPVP staff assistant Moroni Benally to research government reform and prepare the administration for the transition and eventual transfer of power from the Shelly-Jim administration to the next president.

“I want to give these young Navajo students an opportunity to see the operation of the tribal government firsthand,” President Shelly said. “They are ready to take our tribal government to the next level.

“They will assist this administration with defining improvements for tribal management systems and essential government direct

services,” he added.

Benally said that a comprehensive study of the internal management culture and processes of the Navajo Nation government has yet to be conducted.

“This constitutes government

Development Services of Dine’ College and Navajo Technical University, provided the framework for the study.

Benally explained that the internal processes are human and technical systems and that they create bottlenecks for

“I want to give these young Navajo students an opportunity to see the operation of the tribal government.”

reform. Government reform leads to economic development and growth,” Benally said.

He explained that economic development improves the quality of life for Navajo people and that the Shelly-Jim administration was making history by conducting the study.

Executive Order No. 11-2014, Utilizing Professional

growth and development. The bottlenecks affect the quality of life, he said, adding that assessment and restructuring of these systems is what constitutes government reform.

“If the Navajo Nation is to prosper economically it must focus on restructuring these internal management processes,” Benally said.

The internship was a three-week program. Random divisions, departments and programs of the tribal government were selected for evaluation. The group analyzed the data that was collected for a final report that hasn’t been released yet.

The report will identify legislative action, if necessary, and support the Shelly-Jim administration’s transition for the transfer of power. Beyond that, it also establishes a data sharing agreement with the tribal colleges and sets a new standard on policy development, research, data sharing and government reform.

Lane Franklin, a student at Fort Lewis College in Durango, Colo. participated in the internship and had a pessimistic view on the project.

A decade from now, Franklin sees a stagnant government.

“I see the tribal government being at a stand still like we are currently if the same leadership and mentality continues,” he said. “Effective leadership and communications causes progress.

“I believe the 2014 election highlighted the inefficiency and injustice of the Judicial Branch,” he added.

The 23-year-old Navajo voted for Chris Deschene in the election and said young voters determine their future with their choice of candidate.

Upon obtaining his undergraduate degree he plans on becoming a physical therapist in the military or private sector.

Honesty about his experiences, beliefs and values is what is needed within OPVP, he said.

The 14 interns that participated in the project were not paid and strictly worked in a voluntary capacity during the three-weeks at OPVP.

Benally will be releasing the groups work through a report very soon. Plans to implement the government reform ideas would be at the discretion of the 23rd Navajo Nation Council and the president, upon their election and installation in office.

President Shelly said the project would be his legacy and allow the Navajo people to see the roadblocks and inefficiencies in the tribal process that has far too long prevented the Nation from true progress.

Sec. Sally Jewell joins President Shelly for historic \$554 million settlement signing ceremony



HISTORIC SETTLEMENT Top, President Shelly signs the settlement agreement. Center, Sec. Jewell joins President Shelly for an early morning prayer. Bottom, the signed agreement. (Photos and story by Jared King)

WINDOW ROCK, Ariz.— Navajo Nation President Ben Shelly signed a historic multimillion-dollar trust settlement, the largest in United States history, at a commemorative signing ceremony with Navajo leaders and federal officials.

“Today, we gather as a Nation to celebrate the historic trust settlement agreement between the Navajo Nation and the U.S. government. The settlement of this claim is symbolic of the evolving relationship that the Navajo Nation has had with the federal government. For decades Native Nations have had an adversarial relationship with the U.S. Department of the Interior,” said President Shelly.

Interior Secretary Sally Jewell, Sam Hirsch, acting attorney general for the U.S. Department of Justice, Environmental and Natural Resource Division, Kevin Washburn, Assistant Secretary of Indian Affairs, other federal officials, Navajo Council Delegates, and the Navajo Trust Litigation Task force joined President Shelly at the ceremony.

The president and the secretary acknowledged that the settlement demonstrated resolving differences and working together for Navajos.

“This settlement reflects our continuing commitment to upholding the federal trust responsibility to Indian Country and to building strong, prosperous and resilient tribal communities,” said Secretary Jewell.

The president called on the Navajo people to provide input at town hall meetings

scheduled to begin Oct. 6 in Chinle, Ariz. The purpose of the town hall meetings is to gain guidance from the Navajo people on how to best utilize and wisely spend or invest the funds.

The president said the money from this settlement will provide the Navajo government with a wide range of choices on investment, but infrastructure and development will be a priority.

“This means that we are taking one small step towards self-sufficiency and away from dependence,” the president added.

He also underscored the need for the Navajo Nation to stand on its own and rely less on the federal government to provide for the people.

“It is important to note that a lot of work went into reaching this landmark agreement. The Navajo Nation worked for many years in long and tough negotiations to come to a resolution on this issue.”

President Shelly thanked President Obama and his administration for settling this long standing wrong to the Navajo Nation and for the president’s commitment to working with Indian Country.

He also thanked the Trust Litigation Task Force for their guidance and leadership to resolving this issue.

“The next step following today’s signing ceremony is to hear from the Navajo people on how the settlement can be used. We urge the Navajo people to provide their input on this important issue that will effect generations to come,” said the president.

PRESIDENT SHELLEY HONORS NAVAJO VETERANS DURING FESTIVITIES FOR 2014 VETERANS DAY IN WINDOW ROCK



PATRIOTIC DUTY Members of theTwin Warriors Society refold the Betsoi family flag. (Photo by Rick Abasta)



VETERANS DAY Left, Navajo Nation President Ben Shelly unveiled the 11 new names that were added to the KIA Wall at Veterans Memorial Park in Window Rock. Center, the Twin Warriors Society Color Guard opened flags and refolded them for families that lost loved ones in battle. Top right, The Ft. Defiance Twin Warriors Color Guard. Bottom right, the Window Rock Veterans Memorial Park externally salutes the Navajo veterans that served the U.S. and the countless Navajos that died in battle since time immemorial. The day-long Veterans Day activity included lunch provided by the Navajo Department of Veterans Affairs. (Photos by Rick Abasta)



President Shelly enacts Healthy Dine’ Nation Act of 2014



HEALTHY LIVES Navajo Nation President Ben Shelly compromised with lawmakers and signed the Healthy Dine’ Nation Act of 2014 into law on Nov. 20, 2014. He said his administration has long advocated for healthy living. (Photo by Rick Abasta)

WINDOW ROCK, Ariz.— Navajo Nation President Ben Shelly, with a stroke of his pen, signed the Healthy Dine’ Nation Act of 2014 into law on Nov. 20, 2014 and changed the dynamics for the war on diabetes.

His decision to enact Legislation No. CN-54-14 and amend Title 24 of the Navajo Nation Code came after negotiations with council delegates and food advocacy groups to ensure the proper monitoring provisions were included.

When the legislation was first presented, President Shelly’s concerns with definitions of junk food and the monitoring processes of tax collections resulted in a veto. At the time, he called the Healthy Dine’ Nation Act progressive and asked for further clarification.

“This administration has advocated for healthy living since we took office. Vice President Jim has run across this great Nation all four years of our administration,” President Shelly said. “Today,

I am signing this legislation into law to continue our commitment to healthy lifestyles for our people.

“Diabetes is an enemy that we will conquer by fighting this war together,” he added.

The amendments to Title 24 of the Navajo Nation Code will be imposed upon gross receipts at a rate of two percent upon minimal-to-no-nutritional value food items sold.

The revenues generated from the sales tax may be utilized for community wellness projects such as farming, vegetable gardens, greenhouses, farmers markets, clean water, exercise equipment, health classes and more.

Legislation sponsor Danny Simpson (Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nahodishgish, Standing Rock, White Rock) and co-sponsor Jonathan Nez (Navajo Mountain, Oljato, Shonto, Tsah Bii Kin) joined supporters of the legislation at the Office of the President and Vice President for the

signing.

Simpson said, “From the bottom of my heart, thank you, Mr. President. I think we compromised on (the legislation).”

Denisa Livingston, a member of the Dine’ Community Advocacy Alliance, said food is not only a material pleasure, but nourishment for our bodies, minds and spirit.

“Eating well is what will sustain and empower us for the generations to come. From this day forward, we will move from being a food desert and return to being a food oasis,” she said.

Livingston called the signing a “historical event” and praised the president for his decision to enact the legislation.

“Again, you are leading the way, Mr. President, across the world and across Indian Country. We thank you for your commitment, your leadership and your dedication to a healthy Dine’ Nation. Ahe’hee,” Livingston said.

Nez echoed Livingston’s

sentiments and called members of the Alliance “champions” that never gave up.

“Many of our young people out there don’t have the tools to make the healthy and wise decisions on living more healthy and active lifestyles,” Nez said. “Again, you’re leading the way, Mr. President, across the world and across Indian Country.”

Deborah Cayedito, another member of the Alliance, said she was raised as a farm worker and understood the purpose of food.

“We are making historical movements,” she said, adding, “and from the gathering of data that we’ve done, we can take it back home and start youth planters and teach them how to plant.”

The seed has been planted and the war against diabetes on the Navajo Nation continues.

President Shelly enacts criminal code amendments

WINDOW ROCK, Ariz.— President Shelly enacted legislation on Dec. 1 to amend the Navajo Nation Criminal Code, provide Navajo language and culture assistance to residents in Phoenix, and execute the purchase of more than 67 acres of land in Farmington, N.M.

CN-52-14, a bill amending the sentencing provisions of Title 17 of the Navajo Nation Code, was signed into law. Efforts to amend this portion of the code have been ongoing since Jan. 2000, when the Navajo Nation Council eliminated imprisonment and fines for a number of criminal offenses.

The new amendments restore some of those changes made in response to the lack of detention facilities.

“This is a good law,” President Shelly said.

Law and Order Committee members Alton Shepherd (Cornfields, Ganado, Jeddito, Kinlichee, Steamboat) and Edmund Yazzie (Church Rock, Iyanbito, Mariano Lake, Pinedale, Smith Lake Thoreau joined President Shelly for the signing and expressed gratitude.

“I just want to say thank you. First and foremost, it was a team effort and I appreciate the task force,” Shepherd said. “Now that the jails are adequate, we need to update the criminal code to where it is, including giving the judges a little bit more flexibility.”

“President, thank you,” Yazzie said.

The new construction of additional detention facilities has provided the Nation an opportunity to address violent and serious crimes committed within tribal jurisdiction. These are offenses not prosecuted by the U.S. Attorney’s Office.

On July 23, 2012, the Law and Order Committee established a task force to review the sentencing provisions for the criminal code. The task force hosted public hearings and a radio forum for their outreach efforts. Public sentiment was for stronger sentencing provisions.

The amendments were made for enforcement, general provisions, sentencing, offenses, and penalties. The 132-page bill also includes amendments correlating to

changes in the Navajo Nation Council standing committees resulting from the 88-to-24-member reduction.

President Shelly also signed into law CN-53-14, which provides \$148,325 from the Unreserved, Undesignated Fund Balance for the Phoenix Indian Center to provide Navajo language and culture classes, information seminars and social services for tribal members residing in the Phoenix metropolitan area.

A non-profit entity, the Indian Center relies on funding from the Arizona Inter-Tribal Trust Fund, especially the Navajo Trust Funds to provide services to more than 4,000 Navajos living in the city that utilize their services.

The UUFB funds will cover the salary of two Navajo staff working for the Indian Center to continue providing Navajo language and culture opportunities for urban Navajos.

BN-57-14 was also signed into law by President Shelly to provide \$980,000 in closing costs for the purchase of 67.39 acres of land in accordance with the tribal Land Acquisition Policy.

The land, previously owned by Rolling Mesa, LLC, is located at the southwest junction of Highway 371 and N376 in Farmington. The owner agreed upon the fair market value purchase price of \$980,000 on Jan. 13, 2014. Funds to purchase the land will come from the FY 2014 Land Acquisition Trust Fund.

The Navajo Nation Gaming Enterprise, Upper Fruitland Chapter and Navajo Nation Division of Economic Development will utilize the land for commercial development. The next step is to put the land into trust status.

President Shelly vetoed Legislation No. CN-56-14. The legislation would have amended Title 5 of the Navajo Nation Code to authorize the formation of a low-profit LLC. However, the president said the uncertainty and confusion of the business structure played a factor in his decision to veto the legislation.

He had particular concerns with the lack of amendments to the internal revenue code to reflect the LLC structure.

\$1 billion settlement funding drawdown begins



BILLION DOLLAR MAN Stephen Etsitty, executive director of Navajo EPA, said the \$1 billion settlement was the result of work between Navajo EPA and DOJ. (Photo by Rick Abasta)

WINDOW ROCK, Ariz.—The Navajo Nation is finally receiving funds from the \$1 billion Anadarko v. Tronox settlement. According to terms of the settlement, the Navajo Nation will receive \$1.2 billion for cleanup of 50 sites.

More than \$985 million will be paid to the Navajo Nation. The Navajo Environmental Protection Agency is also receiving funding from the settlement, a total of \$43 million. The initial drawdown from the settlement will be 60 percent, or \$26.4 million, which will be deposited in the next 10 days.

The remaining 40 percent will be paid after three months.

“These funds will go toward the cleanup of 50 abandoned uranium mines on the Navajo Nation. On Dec. 12, 2013, we announced that we prevailed in the bankruptcy case involving Anadarko Petroleum and Kerr-McGee Corporation,” said Navajo Nation President Ben Shelly.

Although we are receiving more than a billion dollars,

much more is needed to address the 520 abandoned uranium mines on the Navajo Nation, he added.

“Any funds resulting from this lawsuit are welcomed and long overdue,” President Shelly said.

The claims against Anadarko and Kerr-McGee involved cleanup for a number of former uranium mines and uranium processing site located in Cove, Ariz. and Shiprock, N.M. The Navajo Nation Department of Justice and Navajo EPA worked together to bring the settlement to a conclusion.

President Shelly became involved with the bankruptcy case when he was previously serving as vice president. During the previous administration, he met with Allison McFarlane, chairman of the U.S. Nuclear Regulatory Commission about prioritizing cleanups on the Nation.

On Jan. 23, 2015, Stephen Etsitty announced that since an appeal was not filed with the presiding judges, the Navajo Nation would begin receiving settlement funds in

the next several days. Etsitty is the executive director of Navajo EPA.

“I understand the initial amount we will receive is \$26.4 million. This is 60 percent of the total amount we are set to receive,” Etsitty said. “The remaining 40 percent will come in a few more months to the Nation and U.S. EPA.”

Other claimants, including U.S. EPA, will also begin receiving funds from the settlement. U.S. EPA is set to receive approximately \$600 million to cleanup 50 abandoned uranium mines on the Navajo Nation. In addition to the U.S. EPA, other claimants in the case included 22 states, four environmental response trusts, and a trust for a number of environmental and tort plaintiffs.

According to Etsitty, the \$26.4 million will be wired to the Navajo EPA Hazardous Substances Fund. The fund is authorized by a fund management plan that

Administration Building No. 1 opens for service once again



LEGACY ISSUES Navajo Nation President Ben Shelly spent a large part of his term dealing with legacy issues left by past administrations. One such example was the lack of proper maintenance on tribal buildings that led to black mold infestations affecting the health of workers. (Photo by Rick Abasta)

WINDOW ROCK, Ariz.—On Jan. 12, a crowd of tribal employees and officials gathered on a dreary morning to celebrate the renovations of Administration Building No. 1. The cold weather did not deter them from participating in the celebration held in a white tent outside the building, however.

Thanks to Oakland-Arviso Construction Co., the renovated building is finally after 28 months of renovation activities.

Housed inside the newly improved building are Division of General Services, Finance, Office of Management and Budget, Department of Personnel Management, and Design and Engineering Services.

President Shelly said the building’s completion was the product of cooperation between the Executive and Legislative Branches of tribal government.

“Whoever is taking office next, I hope you took notes because this is how you get things done: by working together, not against each other,” President Shelly said.

He said Operation Breathe Safe began on Sept. 15, 2011 and closed the administration building due to black mold contamination. Employees were complaining of headaches and other medical issues.

Personal protective gear was required for employees to retrieve documents and equipment that needed to be decontaminated. The mold infestation was the result of non-maintenance.

“Water began to leak into the building and the walls,” the president explained.

The mildew eventually resulted in a strong odor that gave employees headaches. Something had to be done. Closing the building meant employees had to find available workspace from other tribal divisions and departments.

“More than \$5 million was spent to remediate the building. Thank you Speaker Pro Tem Bates and Delegate Hale for securing the funding that made these renovations possible,” President Shelly said.

Vice President Rex Lee Jim spoke next and provided his remarks entirely in Navajo.

He said the renovated building was like your own home; it is the center of learning and thinking for family and the Navajo people.

“Take good care of (the building). Be responsible for it. If you see trash, don’t just walk over it, pick it up and dispose of it,” Vice President Jim said. “Talk to each other and work with each other in a good way. Incorporate K’é into your office.”

He also encouraged employees to quickly process the requests from the public.

“You were all in crowded workspaces. You know what it’s like to be waiting. For this reason, quickly process your work for the people,” Vice President Jim said.

Chief of Staff Arbin Mitchell also gave words of thanks and encouragement.

“We worked very hard on this building. I would like to thank Design and Engineering Services. Also Facilities Maintenance and NIOSHA,” Mitchell said. “Those are a few departments that assisted with making this happen.

“It took a lot of money, just like president said,” he added.

Funds were pooled together from the Unreserved, Undesignated Fund Balance and indirect cost monies. Carryover funds were also leveraged to cover the costs of construction.

“We’re working on Administration Building No. 2 right now. When you add these two buildings, it probably runs close to \$10 million,” he said.

Jonathan Hale, chairman of the Health, Education and Human Services Committee, said Navajo elders would use this building renovation as a lesson to learn from.

“We’re at a time when our buildings are aging and in need of repairs. Our elders have always said to us, don’t you see the needs of your home? Are you going to fix it? I’m thankful for your work here,” Hale said.

He said employees had to endure cramped conditions for the past two years and that many complained about illness being spread and other issues.

“Thank you. Take care of it. When this building was first constructed, it wasn’t done right. Now it’s up to code and has blueprints for the work that was done. Take care of it in case something like this happens again 10 years from now,” Hale said.

Virgil Brown, director of the Division of General Services, took a lead role on the project and directed his crew from Facilities Maintenance to work with DES to complete the work.

“It was a team effort. That’s the only way that things get going fast. Administration Building No. 2 is being built right now and it will probably be finished a lot faster than this one,” Brown said.

State of the Nation

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23rd NAVAJO NATION COUNCIL President Shelly’s report to Council was met with a positive response. (Photo by Rick Abasta)

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to black mold infestation. The president said construction was expected to begin by the spring of 2015.

President Shelly said he approved \$8.3 million in supplemental funding for chapters on Jan. 6. The approval came after discussions with his legal counsel and the Office of Management and Budget.

“Some of these projects were not in compliance with the Appropriations Act, but we worked around that to approve the projects because of their importance to their respective chapters,” he said.

The president also mentioned that the Appropriations Act states that project funding will be approved only if they are listed on the five-year CIP plan, which was recently approved in the summer of 2014 after 14 years of limbo.

He said fiscal conservatism resulted in a \$30 million surplus in the UUFB, which was in the red by \$22 million when the Shelly-Jim administration took office.

“I loosened the purse strings,” President Shelly said.

President Shelly spoke of the repatriation mission to Paris, which was undertaken by Vice President Rex Lee Jim on Dec. 11, 2014. The purpose of the trip was for the return of sacred Yei Bi Chei masks that went up for auction by a private collector.

Members of the Navajo Human Rights Commission and the Navajo Nation Washington Office joined the vice president.

Seven masks were purchased at a cost of \$9,000 by the Navajo delegation before they went on auction. The president said the action sent a message to the world that sacred cultural resources should not be sold and that they violate the human rights of indigenous people around the globe.

President Shelly said, “We are grateful for the efforts of the U.S. State Department, U.S. Embassy-Paris and the U.S. Department of Homeland Security for their assistance in returning these traditional masks back to the Navajo Nation.

The president also spoke about a Dec. 8, 2014 town hall meeting in Gallup regarding the Gallup Detoxification Center. He said more funding was needed to address the alcoholism epidemic in the city.

In June 2013, the former Na’nizhoozhi Center Inc. closed its doors after providing more than 20 years of service when funding dried up. Realizing the importance of the facility, the Navajo Nation invested funding and reopened it as Gallup Detox Center.

“To date, we have spent more than \$1.6 million providing services,” President Shelly said. “Despite our partnership with the city, it is not enough to operate the facility and provide needed services.

“We are looking at more than \$2 million annually that is needed,” he added.

The president also mentioned a House bill on Indian Energy that was introduced during the 113th Congress by Congressman Don Young, chairman of the House Natural Resources Committee.

“The bill proposed to streamline the federal bureaucratic process in energy development for large land base tribes,” President Shelly said.

After passing the House, the bill is now at the Senate for deliberation. The Navajo Nation Washington Office reported that the bill would be reintroduced in the 114th Congress. Another bill being monitored by the D.C. office is the Indian Trust Asset Reform Act, which proposes authorization of an eight-year trust asset demonstration project that would enable tribes to develop plans.

President Shelly also praised the enactment of the Navajo Department of Health and said it was a major step toward tribal self-determination because it allows the Navajo Nation to regulate healthcare on tribal lands.

“Our newly formed Navajo Department of Health will ensure the public health service needs are met through assessments, policy development and quality assurance,” he said.

While changes won’t happen overnight, the president said creation of the first tribally administered Medicaid agency was a possibility, after a recent feasibility study conducted by the U.S. Department of Health and Human Services.

The president also mentioned a recent visit by members of the U.S. Congress to follow up with the Navajo Nation and Hopi Tribe on report by the Office of the Inspector General. The report was on the status of the federal relocation program administered by the Office of Navajo Hopi Indian Relocation Program.

President Shelly said the federal government’s failed relocation program that was imposed on tribal members has resulted in dismal living conditions.

“We have many families without running water, electricity and unfinished homes. Others are still awaiting relocation,” he said.

The Navajo Nation encouraged the federal delegation to continue funding ONHIR and provide for adequate benefits to all families forced off their ancestral homelands more than 41 years ago.

President Shelly concluded that it is his responsibility to ensure continuity of government and direct services to the Navajo people, regardless of the political climate that exists.

“Vice President Jim and I stand prepared to continue providing stability for these government functions until a new president has been elected and installed into office,” President Shelly said.

Congressional delegation visits Navajo Nation for ONHIR



RELOCATION TRAGEDY Top, center, Navajo Nation President Ben Shelly met with a Congressional delegation recently to discuss issues with the Office of Navajo Hopi Indian Relocation in Flagstaff. He said that Navajo families that were relocated are having trouble adjusting. Bottom, Joining the delegation was Ariz. Rep. Ann Kirkpatrick who said she knows the plight of natives personally after growing up on an Indian reservation. (Photo by Rick Abasta)

WINDOW ROCK, Ariz.—On Jan. 24 and 25, Navajo Nation President Ben Shelly met a Congressional delegation in Window Rock to discuss the Office of Navajo Hopi Indian Relocation.

Congressional members of the U.S. House of Representatives representing the House Appropriations Committee and Subcommittees on the Interior and Environment traveled to Ariz. to meet with the Navajo Nation and Hopi Tribe.

Rep. Ken Calvert (R-Calif.), Rep. Mike Simpson (R-ID), Rep. Tom Cole (R-Okla.), Rep. Betty McCollum (DFL-Minn.) and Rep. Ann Kirkpatrick (D-Ariz.) met with President Shelly and members of the 23rd Navajo Nation Council to discuss the Office of the Inspector General report on the federal relocation program administered by ONHIR.

Jodi Gillete, Senior Policy Advisor for Native American Affairs for the White House Domestic Policy Council joined the delegation. The federal delegation toured the Nahata Dzil community and families in Jeddito to see the firsthand results of relocation.

President Shelly explained the countless socio-economic disparities that resulted from lack of infrastructure and economic development. Before being relocated, many of the Navajo families were self-reliant and maintained a healthy lifestyle through livestock and farming.

However, relocation has disrupted that lifestyle and many entered into a modern world that they had no experience in.

“Our history is tied up in the land that you see,” President Shelly said. “The relocation of Navajos from land they lived on created traumatic ripples that continue to disrupt and destroy lives 41 years later.

“These people lost their homes, their heritage and their livelihood,” he added.

Still today, many families have not received compensation. Others, mostly elderly, are forced to go before ONHIR in Flagstaff and are often subject to interrogation to establish benefits. Far too often, these individuals are denied benefits and have to endure a review process to overturn the decision.

“This costly and unjust process puts added stress on our people and only increases the cost of relocation,” said the president.

For families that have not been relocated, the tremendous needs for infrastructure development and roads continue to dominate. Other considerations include the deteriorating school facilities, in spite of 2004 commitments by the federal government to replace 14 schools.

“The Little Singer Community School which you will see later today, is one of the last schools on the 2004 replacement school construction priority listing,” President Shelly said.

He noted that Navajo children learn better when traditional culture and language are supplanted in their curriculum.

Although the two-day meeting and tour of the Navajo Nation was brief, President Shelly strongly advocated for the continued funding of ONHIR and recommended addressing the pitfalls of the accommodation agreement entered into by the Navajo Nation and Hopi Tribe.

He also shared issues impacting families in the former Bennett Freeze area, where time has stood still for more than four decades. Families in the impacted area continue to live without running water, roads and substandard housing.

“Some families are forced to live in camper shells. I hope the subcommittee has listened to our concerns and will provide us with a favorable outcome,” President Shelly said.